Supreme Court, U. S.
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MICHAEL RODAK, JR., CLERK

In the Supreme Court of the United States

OCTOBER TERM, 1975

No. 75-567

STATE OF OREGON, Acting by and through the State Land Board,

Petitioner,

vs.

CORVALLIS SAND AND GRAVEL COMPANY, an Oregon corporation,

Respondent.

REPLY BRIEF FOR PETITIONER STATE OF OREGON

LEE JOHNSON
Attorney General

W. MICHAEL GILLETTE
Solicitor General

PETER S. HERMAN
Senior Counsel
100 State Office Building
Salem, Oregon 97310
Telephone: (503) 378-4402
Counsel for Petitioner

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Respondent challenges the timeliness of the State of Oregon's petition for certiorari.

That petition was docketed on October 14, 1975. The Oregonn Supreme Court's denial of the petitions for rehearing of both parties was on July 17, 1975 (Appendix to petition, p. 28). The petition, therefore, was filed within 90 days of the Supreme Court of Oregon's denial. It was that court's denial of the petitions for rehearing that rendered the judgment of the court final and reviewable (Appendix B to petition, p. 28).

Had the Supreme Court not responded favorably in its opinion to the State of Oregon's petition, or had the Oregon Supreme Court responded favorably to the defendant's petition for rehearing, the State's petition for certiorari would have had to include additional matters and arguments.

Respectfully submitted,

LEE JOHNSON
Attorney General

W. MICHAEL GILLETTE
Solicitor General

PETER S. HERMAN
Senior Counsel